

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

MIRIAM ORDONEZ-LOPEZ et al.,

Plaintiffs,

v.

VASILY IVANOV et al.,
Defendants.

No. 3:10-cv-936-AC

AMENDED¹ OPINION AND ORDER

MOSMAN, J.,

On July 13, 2011, Magistrate Judge Acosta issued his Findings and Recommendation (“F&R”) [33] in the above-captioned case recommending that plaintiffs’ Motion for Attorney Fees [28] be granted in its entirety and that plaintiffs be awarded attorney fees in the total amount of \$11,305.00. No objections were filed.

¹This Opinion and Order is being amended only to acknowledge that while the Findings and Recommendation issued by Judge Acosta identifies only six plaintiffs in the caption, namely Miriam Ordonez-Lopez, Carlos Ordonez Brindis, Valentina Mendoza, Carlos Mendoza, Roel Martinez Esteves, and Rodrigo Salazar-Ramirez, and references only six plaintiffs in the body, the Findings and Recommendation is being adopted with regard to all plaintiffs, including Ocgareno Pastor-Soriano, who was added as a plaintiff in the First Amended Complaint.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

Upon review, I agree with Judge Acosta's recommendation, and I ADOPT the F&R [33] as my own opinion.

IT IS SO ORDERED.

DATED this 20th day of October, 2011.

/s/ Michael W. Mosman
MICHAEL W. MOSMAN
United States District Court